REMARKS

Claims 20-22, 24-29 and 31-41 are presently in the application. Claims 23 and 30 have been canceled. Claims 40 and 41 have been added.

Added claims 40 and 41 are similar to canceled independent claims 23 and 30, but are dependent on independent claim 20. Claims 24-29, formerly dependent on claim 23, now depend from claim 40. Claims 31-38, formerly dependent on claim 30, now depend from claim 41.

The word "Diesel" has been canceled from claim 20. Further language has been added to claim 20 to more specifically define the invention. All claims now depend from the sole independent claim 20.

Claim 20 was objected to as containing informalities in the Office action. Since the terms "wherein" and "and/or" were not present in claim 20, the objection is not understood.

Claims 20-21 and 39 have been rejected under 35 USC 102(b) as being anticipated by Sikich (US 3,979,193).

Claim 20 has been amended to recite a method for purifying the exhaust gas stream in the exhaust gas line (7) of an internal combustion engine (1), of particles such as soot, the exhaust gas stream being enriched with ozone, the method comprising the steps of effecting a continuous enrichment of the exhaust gas stream with ozone such that particles that are present are to a great extent oxidized during the flow through the exhaust gas line (7), measuring at least one of the temperature of the exhaust gas and the particle content of the exhaust gas downstream of the enriching, and controlling the concentration of the ozone

essentially as a function of at least one of the temperature and the particle content of the exhaust gas, such that the remaining particle content of the exhaust gas stream does not exceed a predetermined limit value.

Support for the language "effecting" of claim 20 can be found, for example, at para. 33, ll. 1,2. Support for the language "measuring" of claim 20 can be found, for example, at para. 13, ll. 3-7. Support for the language "controlling" of claim 20 can be found, for example, at para. 16, l. 4 and para. 31, l. 2.

A major aspect of Sikich is the choice of a certain number of discs in the corona-producing chamber according to the condition of the exhaust gas (col. 5, lines 20-25). Sikich leads away from the invention as originally recited in claim 20 in that it discloses changing the apparatus dimensions. In contrast, claim 20, as originally filed, recited selecting the concentration of ozone in dependence upon a determination of the particle content in the exhaust gas. Claim 20 as amended now requires measuring at least one of the temperature of the exhaust gas and the particle content of the exhaust gas downstream of the enriching, and controlling the concentration of the ozone essentially as a function of at least one of the temperature and the particle content of the exhaust gas, such that the remaining particle content of the exhaust gas stream does not exceed a predetermined limit value. The method as claimed results in an energy savings which is economically applicable also to mobile applications such as vehicles working under a variety of system conditions.

To support a rejection of a claim under 35 U.S.C. § 102(b), it must be shown that each element of the claim is found, either expressly described or under principles of

inherency, in a single prior art reference. See Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed. Cir. 1983), cert. denied, 465 U.S. 1026 (1984).

Sikich does not teach a method of the type recited in claim 20 which includes the steps of measuring at least one of the temperature of the exhaust gas and the particle content of the exhaust gas downstream of the enriching, and controlling the concentration of the ozone essentially as a function of at least one of the temperature and the particle content of the exhaust gas, such that the remaining particle content of the exhaust gas stream does not exceed a predetermined limit value. Thus, Sikich does not anticipate claim 20.

All the other claims in the application, claims 21-22, 24-29 and 31-41 depend from claim 20 and are patentable for at least the same reasons as claim 20.

The rejections of claims 30-38 under 35 USC 102(b) as anticipated by Caren et al., of claim 22 under 35 USC 103(a) as being unpatentable over Sikich in view of Caren et al., and of claims 23-29 as unpatentable under 35 USC 103(a) over Rohde et al. in view of Caren et al. are believed rendered moot by this amendment. Neither Caren et al. nor Rohde et al. disclose or suggest the claimed invention including measuring at least one of the temperature of the exhaust gas and the particle content of the exhaust gas downstream of the enriching, and controlling the concentration of the ozone essentially as a function of at least one of the temperature and the particle content of the exhaust gas, such that the remaining particle content of the exhaust gas stream does not exceed a predetermined limit value.

Entry of the amendment and allowance of the claims are courteously solicited.

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